

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

DUANE JACOBS, an individual,)
CAROLYN SUE JACOBS, an individual,)
JMJ LAND, LLC, a Nebraska limited)
liability company, LARUE KAY)
MARSHALL, an individual, and)
HAROLD DEAN MARSHALL, an)
individual,)

Plaintiffs,)

V.)

PT HOLDINGS, Inc., a Nebraska)
corporation, LAWRENCE J. VOLF, an)
individual, GEORGE MCFADDEN, an)
individual, LARRY A. BAKER, an)
individual, and FEDERAL DEPOSIT)
INSURANCE CORPORATION, in its)
capacity as receiver and/or conservator of)
Sherman county Bank,)

Defendants.)

8:11CV106

ORDER

By order dated December 16, 2011 ([filing 42](#)), Claims One (Fraudulent Transfer Against FDIC), Four (Equitable Subordination Against FDIC), Five (Accounting Against FDIC) and Six (Defensive Declaratory Judgment/Affirmative Defenses to FDIC's Nonjudicial Foreclosure Action) in Plaintiffs' Complaint ([filing 1](#)) were dismissed from the Complaint with prejudice. In light of this ruling, Plaintiffs' Motion for Leave to File Amended Complaint ([filing 33](#)) will be denied without prejudice to reassertion.

IT IS ORDERED that Plaintiffs' Motion for Leave to File Amended Complaint ([filing 33](#)) is denied without prejudice to reassertion. The Clerk of Court shall mail a copy of this order to the pro se parties in this action.

DATED December 30, 2011.

BY THE COURT:

**S/ F.A. Gossett
United States Magistrate Judge**